

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CECIL JOHNSON, )  
                        )  
Plaintiff,           )  
                        )  
v                      ) No.  
                        )  
                        )  
DR. BRUCE LEVY, in his official capacities     )  
as the Chief Medical Examiner for the         )  
State of Tennessee and Medical                 )  
Examiner for the Metropolitan                 )  
Government of Nashville and                 )  
Davidson County, Tennessee; and             )  
                        )  
RICKY BELL, in his official capacity as     )  
Warden, Reverend Maximum                 )  
Security Institution.                     )

**DEATH PENALTY CASE**

**EXECUTION DATE 12/2/09 at 1:00 a.m.**

MOTION TO PROCEED *IN FORMA PAUPERIS*

Plaintiff Cecil Johnson respectfully requests that this Court grant him leave to proceed *in forma pauperis* in the above-styled matter. In support thereof, Mr. Johnson shows:

1. Mr. Johnson is scheduled to be executed on December 2, 2009, at 1:00 a.m.
2. In the above-styled proceeding Mr. Johnson seeks to enjoin any autopsy the State

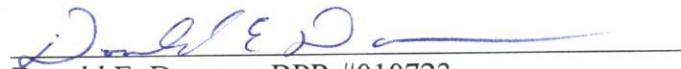
intends to perform on his body.

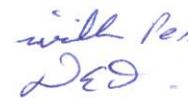
3. Mr. Johnson has previously been found indigent by this Court. He requests permission to later file the Order permitting him to proceed *in forma pauperis*.

WHEREFORE, Mr. Johnson respectfully requests that this Court:

1. Grant him leave to proceed *in forma pauperis* in the above-styled matter; and
2. Order such other relief as this Court deems just.

Respectfully submitted,

  
Donald E. Dawson, BPR #010723  
POST-CONVICTION DEFENDER  
530 Church Street - Suite 600  
Nashville, Tennessee 37243  
(615) 741-9385

  
*James Winston Tiller with Permission*  
James Winston Tiller, BPR #023932  
Tiller-Allison PLLP  
501 Union St, Ste. 502  
Nashville, TN 37219  


#### CERTIFICATE OF SERVICE

I certify that on December 1, 2009, I sent a copy by email of the foregoing to:

Bob Cooper  
ATTORNEY GENERAL AND REPORTER  
500 Charlotte Avenue  
Nashville, Tennessee 37243; and

Sue B. Cain  
Director of Law  
Law Department for the Metropolitan Government of  
Nashville and Davidson County, Tennessee  
225 Polk Avenue - Suite 210  
Nashville, Tennessee 37203

